

REMARKS:

Claims 1-8, 10, 12, 14, 17-32, 40-44, 47-50, 52, 54, and 55 were pending in the application. Claims 24 and 32 are canceled without prejudice or disclaimer as to subject matter. Claims 23 and 25 are amended. Claims 56 and 57 are newly added. Thus, claims 1-8, 10, 12, 14, 17-23, 25-31, 40-44, 47-50, 52, 54-57 are now pending in this application.

Support for the newly added claims can be found throughout the specification, including but not limited to, Figs. 3-5; page 4, line 33 to page 5, line 4; and page 9, line 23 to page 10, line 8.

Clarification Regarding Knapp Reference

The Examiner cited Knapp as having U.S. Patent Number 5,372,840. Office Action at 3. The Examiner has clarified via phone, however, that the Knapp reference is actually U.S. Patent Number **5,726,851** (and that the number listed in the Office Action was incorrect).

Allowable Subject Matter

Applicant appreciates the Examiner's indication of allowable subject matter in independent claims 1 and dependent claims 24-25 (which stand objected to as being dependent on rejected base claim 23). See Office Action at p. 23.

Examiner Interview

The undersigned thanks the Examiner for the courtesy of interviewing this case via telephone on November 4, 2010. During the interview, Applicant's representative discussed the rejected claims relative to the cited references. No agreement was reached.

Section 103 Rejections

Claims 17, 50, and 52

Independent claims 17, 50, and 52 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hosaka et al. (U.S. Patent No. 6,448,500) in view of Leyba et al. (U.S. Patent No. 6,276,502), Iseli et al. (U.S. Pub. No. 2005/0083784), and Knapp (U.S. Patent No. 5,726,851). Office Action at p. 2. Applicant respectfully traverses these rejections.

Applicant respectfully submits that the Examiner has failed to show that the proposed combination of the four above references (even if those references are each combinable, which Applicant does not concede), teaches or suggests each and every element of claim 17. In particular, Applicant submits that the proposed combination of the Knapp reference with Hosaka (and the other references) fails to teach or suggest “a second section including at least a pair of insulated wires configured to carry power from [a] first network device to [a] second network device,” “wherein the insulated wires configured to carry power are between 10 and 16 gauge and are further configured to carry a current of up to 60 amperes without impeding the ability of . . . unshielded twisted-wire pairs to carry data at 100Mbps” as recited by claim 17.

The Examiner concedes that “the [proposed] combination of Hosaka et al., Leyba et al., and Iseli et al. does not specifically disclose carrying a current up to 60 amperes using a cable with a gauge between 10 and 16” in the context of “at least a pair of insulated wires configured to carry power” as recited by claim 17. *See* Office Action at p. 5. The Examiner turns to Knapp to satisfy these missing elements.

The teachings of Knapp do not appear to be related to other elements of claim 17, and it appears that the Examiner is primarily citing Knapp for the purpose of disclosing a current of “up to 60 amperes” in the context of a “cable.” *See id.* The teachings of Knapp (all of which should be considered) indicate failings, however, with respect to these elements of claim 17. Knapp at col. 6, lines 51 to 65 clearly states that a “central conductor and/or [an] outer conductor of [a] coaxial cable fuse 90 are designed to melt or vaporize in the presence of a relatively long prolonged overvoltage condition so that an open circuit is generated” (emphasis added). Additionally, Knapp discloses that the components that are cited as carrying sufficient current “may overheat somewhat or be destroyed” during use of a 60 amp current. *See id.* at col. 5, lines 66-67. Thus, it certainly does not appear that Knapp represents, as alleged by the Examiner, “an obvious design choice for one of ordinary skill in the art” for combination with the other cited references so that “power [can] be delivered up to a maximum of 60 amperes.” *See* Office Action at p. 5. Accordingly, Knapp does not teach or suggest “insulated wires . . . between 10 and 16 gauge” that are “configured to carry a current of up to 60 amperes without impeding the ability of . . . unshielded twisted-wire pairs to carry data at 100Mbps,” as recited in claim 17.

Further, assuming *arguendo* that the Hosaka and Knapp references are even combinable

with each other (which Applicant does not concede), a combination these references would result in a configuration that does not resemble the elements of claim 17. Applicant submits that there is no suggestion in either Hosaka or Knapp of using Knapp's components that allegedly carry a 60 ampere current *with* Hosaka's "pair of power supply wires" (which form another portion of the Examiner's proposed combination, *see* Office Action at 5). Hosaka's "pair of power supply wires" lie on the interior of Hosaka's larger cable arrangement(s), *see* Hosaka at Figs. 1, 2, and 4, while Knapp's 60 ampere current is mentioned with respect to an "outer conductor of [a] fuse 90," *see* Knapp at col. 5, lines 59-61. Thus, the teachings of these two references¹ would merely suggest that Hosaka's "shielded conductor," which *contains* Hosaka's "power supply pair wires 32," would be modified, but that Hosaka's power wires themselves would not be modified. *See* Hosaka at col. 1, lines 31-35 and Knapp at col. 2, lines 45-50.

Applicant respectfully submits that the proposed combination of Hosaka, Knapp, and the other references (which are not relied on by the Examiner in teaching the above-argued claim elements) fails to teach or suggest each and every element of claim 17. Applicant respectfully submits that a *prima facie* case of obviousness under 35 U.S.C. § 103(a) has thus not been made. *See* MPEP § 706.02(l)(3) and § 2143. Applicant requests withdrawal of all § 103 rejections of claim 17 and its dependent claims, and for at least similar reasons to those argued above, also requests withdrawal of the § 103 rejections of claims 50, 52, and their respective dependent claims.

¹ Assuming *arguendo* that the references are combinable.

Claims 23, 32, and 56

Independent Claim 23 stands rejected over Binder (U.S. Patent No. 7,200,152) in view of Hosaka, Leyba, and Iseli. Office Action at 15. Without conceding the propriety of the Examiner's rejection, claim 23 has been amended to include subject matter indicated as allowable in the previous version of claim 24. Applicant accordingly submits that claim 23 and its respective dependents are in condition for allowance.

Independent claim 32 stands rejected over Hosaka in view of Iseli. Office Action at 20. Without conceding the propriety of the Examiner's rejection, Applicant has canceled claim 32 in order to advance prosecution. The rejection of this claim is thus moot.

Newly added claim 56 is believed to be patentably distinct over the cited art for at least reasons similar to those discussed in the interview and/or reasons similar to the allowability of claim 1. Applicant therefore respectfully submits that no combination of the cited art teaches or suggests each and every element of claim 56.

CONCLUSION:

Applicants submit the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

The Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5957-03700/AAC.

Respectfully submitted,

Date: November 30, 2010

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